

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Jedon Leshon Dildy

Docket No. 5:06-CR-104-1F

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jedon Leshon Dildy, who, upon an earlier plea of guilty to Felon in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on November 14, 2006, to the custody of the Bureau of Prisons for a term of 43 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to warrantless searches by the United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgement.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Jedon Leshon Dildy was released from custody on May 21, 2009, at which time the term of supervised release commenced.

Between November 2009 and December 2009, Mr. Dildy failed to participate in the urinalysis program, failed to participate in a treatment program as directed by the probation office and tested positive for marijuana. On December 10, 2009, a Petition for Action on Supervised Release was sent to the court and the DROPS condition was added. On May 20, 2010, Mr. Dildy was charged with Driving While License Revoked. He reported the incident within 72 hours and had taken steps to better himself. A Violation Report was submitted to the court. It was requested that this violation be held in abeyance. On August 12, 2010, Mr. Dildy was charged with Providing Fictitious Information to an Officer. The defendant reported that he was in a minor traffic accident while driving his work vehicle. Mr. Dildy accepted full responsibility for his actions and was sternly reprimanded by the probation officer. This charge also remains pending. A Violation Report was submitted to the court recommending no action be taken.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On August 28, 2010, the defendant was charged by the Raleigh Police Department with Disorderly Conduct and Consumption of Alcohol On an Off-Premises Establishment. The arresting officer reported that Mr. Dildy was in a location that was under surveillance. He indicated that he monitored Mr. Dildy and a friend consuming alcohol from Mr. Dildy's parked vehicle. As he attempted to give Mr. Dildy a citation, Mr. Dildy became argumentative and went out of control. The arresting officer indicated that he and several other officers attempted on several occasions to calm Mr. Dildy down; however, due to Mr. Dildy's irrational behavior, he was arrested. In lieu of these new charges, it is recommended that the conditions of supervised release be modified to include home detention. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy
Maurice J. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: September 10, 2010

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ORDER OF COURT

Considered and ordered this 21st day of September, 2010, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge